

AN ORDINANCE approving the awarding of Reference #965 by the City of Fort Wayne, Indiana, by and through its Department of Purchasing and DR LUBRICANTS AND SMITH PETROLEUM, INC. for the City Utilities Garage.

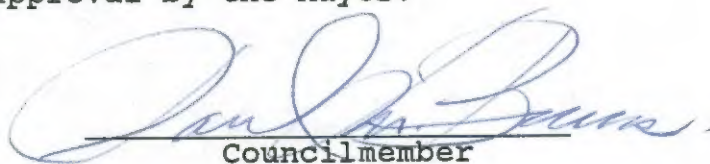
NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA;

SECTION 1. That Reference #965 between the City of Fort Wayne, by and through its Department of Purchasing and DR LUBRICANTS AND SMITH PETROLEUM, INC. for the City Utilities Garage, respectfully for:

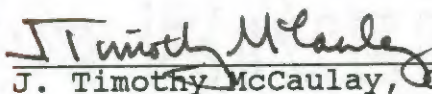
the purchase of grease and oil for 1991 for the City Utilities Garage;

involving a total cost of Forty-One Thousand Five Hundred Fifty-Seven and 30/100+/- Dollars (\$41,557.30.+/-) - (DR LUBRICANTS - \$12,399.60; SMITH - \$29,157.70+/-), all as more particularly set forth in said Reference #965 which is on file in the Office of the Department of Purchasing, and is by reference incorporated herein, made a part hereof, and is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.


Councilmember

APPROVED AS TO FORM
AND LEGALITY


J. Timothy McCaulay, City Attorney

MEMORANDUM

To PURCHASING

Date 11/27/90

From Don Heck - C.U. Garage

Donald J. Heck 11/27/90

Subject Bid on oil

COPIES TO:

The garage would like to retain local vendors. Service time will be cut to a minimum. It will also cut storage at the garage. Large quantities of oil stored at the garage constitutes a problem with hazardous material.

In 1989 we had Independent oil and found problems with the viscosity of their oil. Their oil had a tendency to break down much sooner than oils supplied by other vendors.

In fact we replaced more engines eight (8) and transmissions twenty two (22) during 1989 than we have in previous years and 1990 two (2) engines and eight (8) transmissions. We feel we can get better service from a local vendor in regards to problems caused by oil, such as blown engine, transmissions and other lubricant problems. If a problem develops we can contact the local vendor and have them in the garage on short notice. If the oil is coming out of Cleveland is very difficult to even get hold of the right person to talk to about the problem.

| | |
|-------------|--------------|
| REF. NO.: | 965 |
| DEPT.: | CU GARAGE |
| DATE: | 11/29/90 |
| ITEM/SERV.: | GREASE & OIL |

PURCHASING INFORMATION

| | |
|-------------------------------------|--------------------|
| ADVERTISED BID: | YES |
| DATES ADVERTISED: | 10/5/90 & 10/12/90 |
| OPENING DATE: | 11/1/90 |
| WRITTEN QUOTE: | |
| DUE DATE: | |
| VERBAL QUOTE: | |
| SINGLE SOURCE: | |
| NO. OF VENDORS NOTIFIED: | 17 |
| NO. OF VENDORS RECEIVING BID: | 11 |
| NO. OF VENDORS RETURNING BID: | 5 |
| NO. OF VENDORS DISQUALIFIED: | 0 |
| NO. OF VENDORS NOT RESPONDING: | 12 |
| DATE SENT TO DEPT FOR RECOMM.: | 11/1/90 |
| DATE RECOMMENDATION REC'D IN PURCH: | 11/29/90 |

COUNCIL INFORMATION

DATES SENT EXTENSION DATES

| | |
|------------------------------|----------|
| DATE INFO SENT TO LAW DEPT.: | 11/29/90 |
| INTRODUCTION DATE: | 12/11/90 |
| DISCUSSION DATE: | 12/18/90 |
| PASSAGE DATE: | 12/18/90 |
| ORDINANCE NO.: | |

FRONT PAGE/INVITATION TO BID
DEPARTMENT OF PURCHASING
CITY OF FORT WAYNE, ALLEN COUNTY, INDIANA
ONE MAIN STREET - ROOM 350
PHONE 219-427-1101

BID OPENING DATE 11-1-90 @ 11:00 AM BID REFERENCE # 965

SEALED BIDS SHOULD BE DELIVERED TO DEPARTMENT OF PURCHASING, ROOM 350, CITY-COUNTY BUILDING UP TO 11:00 A.M. ON OR BEFORE OPENING DATE.

SEALED BIDS WILL BE OPENED-PUBLICLY AT 11:01 A.M. IN THE BOARD OF WORKS & SAFETY CONFERENCE ROOM ON THE THIRD FLOOR OF THE CITY-COUNTY BUILDING. "NO LATE BIDS WILL BE ACCEPTED AFTER 11:00 A.M. FOR ANY REASON WHATSOEVER".

THIS INVITATION FOR BID IS FOR THE 1991 REQUIREMENTS FOR
AUTOMOTIVE GREASE & OIL FOR VARIOUS CITY DEPTS PER SPECIFICATIONS
AND REQUESTED BY CITY UTILITIES GARAGE

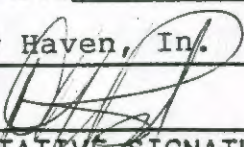
THIS BID REQUIRES A XXXXX \$500.00 BID BOND, CERTIFIED OR CASHIER'S CHECK OF ALL BIDDERS.

THIS BID REQUIRES A _____ 100% PERFORMANCE BOND OF SUCCESSFUL BIDDER(S).

PROMPT PAYMENT DISCOUNTS WILL BE ALLOWED AS FOLLOWS: _____%
IF PAID WITHIN _____ DAYS.

THIS INVITATION IS ISSUED TO ESTABLISH A CONTRACT TO SUPPLY THE CITY OF FORT WAYNE WITH A COMMODITY OR SERVICE IN ACCORDANCE WITH ACCOMPANYING SPECIFICATIONS.

THE EXECUTION HEREOF BY THE BIDDER IS ACCEPTANCE OF ALL TERMS AND CONDITIONS HEREIN AND IN THAT REGARD THE BIDDER AGREES TO BE BOUND BY SAME AND BE BOUND TO THE AMOUNT OF HIS/HER BID FOR A PERIOD OF NINETY (90) DAYS.

FIRM NAME DR Lubricants
STREET ADDRESS 209 Lincoln Hwy. East
CITY New Haven, In. ⁴⁶⁷⁷⁴ PHONE # 219-493-3856
BY 
REPRESENTATIVE SIGNATURE

REFERENCE NO. 965
 AUTOMOTIVE GREASE & OIL
 CU GARAGE
 11/19/90

| DESCRIPTION | QTY UNIT | SMITH PETROLEUM | | AERO OIL CO | | INDEPENDENT OIL | | INDLAND OILS | | DR LUBRICANTS | |
|-------------------|----------|-----------------|-------------|-------------|-------------|-----------------|-------------|--------------|-------------|---------------|-------------|
| SAE 15/40 | 4320 QRT | \$1.22 | \$5,270.40 | \$1.2050 | \$5,205.60 | \$0.8725 | \$3,769.20 | \$1.07 | \$4,622.40 | \$1.01 | \$4,363.20 |
| SAE 15/40 | 125 DRM | \$139.70 | \$17,462.50 | \$179.3000 | \$22,412.50 | \$132.0000 | \$16,500.00 | \$156.20 | \$19,525.00 | \$187.22 | \$23,402.50 |
| SAE 30 | 220 QRT | \$1.01 | \$222.20 | \$1.1325 | \$249.15 | \$0.7025 | \$154.55 | \$1.02 | \$224.40 | N/B | \$0.00 |
| 50:1 | 340 QRT | \$1.46 | \$496.40 | \$1.2825 | \$436.05 | \$1.1100 | \$377.40 | \$1.335 | \$453.90 | \$1.30 | \$442.00 |
| BIA-TCW | 340 QRT | \$1.46 | \$496.40 | \$1.4825 | \$504.05 | \$1.2925 | \$439.45 | \$1.335 | \$453.90 | \$1.30 | \$442.00 |
| DEXTRON II | 1800 QRT | \$1.23 | \$2,214.00 | \$1.1075 | \$1,993.50 | \$0.8975 | \$1,615.50 | \$1.1125 | \$2,002.50 | N/B | \$0.00 |
| DEXTRON II | 10 DRM | \$139.15 | \$1,391.50 | \$167.7500 | \$1,677.50 | \$138.0500 | \$1,380.50 | \$167.20 | \$1,672.00 | \$141.90 | \$1,419.00 |
| C-3 30W | 1800 QRT | \$1.18 | \$2,124.00 | \$1.1500 | \$2,070.00 | \$0.8575 | \$1,543.50 | N/B | \$0.00 | N/B | \$0.00 |
| C-3 30W | 10 DRM | \$194.70 | \$1,947.00 | \$168.8500 | \$1,688.50 | \$127.0500 | \$1,270.50 | \$199.10 | \$1,991.00 | \$171.60 | \$1,716.00 |
| HYDR FLUID, HP/HS | 30 DRM | \$210.65 | \$6,319.50 | \$177.6500 | \$5,329.50 | \$121.1000 | \$3,633.00 | \$167.75 | \$5,032.50 | \$116.38 | \$3,491.40 |
| AW46 | 30 DRM | \$144.65 | \$4,339.50 | \$177.6500 | \$5,329.50 | \$141.9000 | \$4,257.00 | \$167.75 | \$5,032.50 | \$249.20 | \$7,476.00 |
| LITHIUM EP | 12 KEG | \$117.00 | \$1,404.00 | \$111.6000 | \$1,339.20 | \$71.6400 | \$859.68 | \$99.60 | \$1,195.20 | \$121.10 | \$1,453.20 |
| LITHIUM EP | 125 TUBE | \$1.12 | \$140.00 | \$1.3600 | \$170.00 | \$0.7540 | \$94.25 | \$1.07 | \$133.75 | \$1.10 | \$137.50 |
| LITHIUM NON EP | 6 KEG | \$97.20 | \$583.20 | \$87.6000 | \$525.60 | \$61.5600 | \$369.36 | \$97.20 | \$583.20 | \$82.90 | \$497.40 |
| LITHIUM NON EP | 75 TUBE | \$0.99 | \$74.25 | \$1.2900 | \$96.75 | \$0.6360 | \$47.70 | \$1.05 | \$78.75 | \$0.86 | \$64.50 |
| SAE 80W/90 | 10 KEG | \$82.20 | \$822.00 | \$75.6000 | \$756.00 | \$44.4000 | \$444.00 | \$81.60 | \$816.00 | \$62.28 | \$622.80 |
| SAE 85W/140 | 10 KEG | \$82.20 | \$822.00 | \$75.6000 | \$756.00 | \$44.4000 | \$444.00 | \$81.60 | \$816.00 | \$62.28 | \$622.80 |
| GRAND TOTAL | | | \$46,128.85 | | \$50,539.40 | | \$37,199.59 | | \$44,633.00 | | \$46,150.30 |
| DELIVERY TIME | | | STOCK | | 2 - 3 DAYS | | 5 DAYS | | 24 HOURS | | 24 HOURS |
| DRUM DEPOSIT | | | \$0.00 | | \$15.00 | | \$20.00 | | \$15.00 | | \$17.00 |

ENGINE OILS

HEAVY DUTY API SERVICE CD/SF, MIL-L-2104C AND MIL-L-46152B
MAXIMUM SULFATED ASH-1% BY WEIGHT (EST QTY - 9000 GAL)

| ITEM | BRAND/PRODUCT NAME | CSE | DRM | BLK |
|--|--------------------------------------|---------|-----------|-------------------------|
| SAE 15/40 | VALVOLINE DR EXXON XD3 | \$12.08 | 164.45 | \$ 2.26 2 ³⁹ |
| API SERVICE CC. MIL-L-46152B NON-DETERGENT (EST QTY - 110 GAL) | | | | |
| SAE 30 | EXXon | \$ | 112.20 | \$ |
| STROKE OIL FOR CHAINSAWS & LAWNMOWERS (EST QTY - 340 GAL) | | | | |
| 50:1 OIL | | \$ 1.30 | \$ 223.30 | |
| BIA-TCW OIL | EXXon | \$ 1.30 | \$ 223.30 | |

NOTE: UNDER STROKE OILS, PRICE QUART SIZE INSTEAD OF CASE

AUTOMATIC TRANSMISSION FLUID (EST QTY - 2800 GAL)

| | | | |
|--------------|-------|-----------|-------------------------|
| DEXTRON II | Exxon | \$ 132.00 | \$ 2.30 2 ⁵⁰ |
| TYPE C-3 10W | Exxon | \$ 171.60 | \$ 3.01 |
| TYPE C-3 30W | Exxon | \$ 171.60 | \$ 3.01 |

HYDRAULIC FLUIDS. FOR USE IN HIGH PRESSURE, HIGH SPEED HYDRAULIC SYSTEMS. MEETS SERVICE REQUIREMENTS M2C48A (EST QTY - 1500 GAL)

| | | |
|----------|-----------|-------------|
| HO 200HP | \$ 116.38 | \$ --- 1.99 |
|----------|-----------|-------------|

FOR USE IN TRANSMISSIONS, FINAL DRIVES & HYDRAULIC SYSTEMS OF TRACTORS EMPLOYING A COMMON FLUID RESERVOIR. MEETS SERVICE REQUIREMENTS MC2C41A, M2C53A, M2C134B & J1C145 (EST QTY - 1500 GAL)

| | | |
|-------------|-----------|--------|
| Exxon TF 56 | \$ 249.20 | \$ --- |
|-------------|-----------|--------|

INDUSTRIAL HYDRAULIC OIL OF 200-300 SUS @ 100F W/RUST AND OXIDATION INHIBITORS & HAVING A POUR POINT OF -25F OR LOWER (EST QTY - 1200 GAL)

| | | |
|------------------|-----------|-------------|
| HO 200-300 RO/AW | \$ 112.20 | \$ 1.65 185 |
|------------------|-----------|-------------|

MISC PRODUCTS

STODDARD SOLVENT, MINERAL SPIRITS, MINIMUM 100F FLASHPOINT PREFERABLY MEETING RULE 66 REQUIREMENTS (EST QTY - 1200 GAL)

| | | |
|-------------|-----------|---------|
| Stoddard 66 | \$ 107.80 | \$ 1.68 |
|-------------|-----------|---------|

ETHYLENE GLYCOL PERMANENT ANTIFREEZE. WHEN MIXED W/WATER AT A 50% MIXTURE YIELDS A -34F FREEZING POINT (EST QTY - 2000 GAL)

| | | |
|------|-----------|---------|
| Peak | \$ 227.15 | \$ 3.63 |
|------|-----------|---------|

GREASE & GEAR LUBES

LITHIUM SOAP GREASE CONTAINING MOLYBDENUM DISULPHIDE NLGI #2, MAY
CONTAIN E.P. ADDITIVES (EST QTY - 2900 LBS)

| BRAND/PRODUCT NAME | 35# | PAIL | 120# | KEG | 400# | DRM | 14 1/2 | OZ |
|------------------------|-----|-------|------|--------|------|--------|--------|------|
| <u>Exxon Beacon Q2</u> | \$ | 35.70 | \$ | 121.20 | \$ | 380.40 | \$ | 1.10 |

LITHIUM SOAP GREASE, NON E.P. NLGI #2 (EST QTY - 1800 LBS)

| | | | | | | | | |
|----------------------|----|-------|----|-------|----|--------|----|-----|
| <u>Exxon Lidoc 2</u> | \$ | 24.88 | \$ | 82.90 | \$ | 256.40 | \$ | .86 |
|----------------------|----|-------|----|-------|----|--------|----|-----|

API GL-5 GEAR LUBE. MIL-L-2105C (EST QTY - 2200 LBS)

| | | | | | | | | |
|--------------|----|-------|----|--------|--|--|--|--|
| SAE 80W/90 | | | | | | | | |
| <u>Exxon</u> | \$ | 62.28 | \$ | 187.60 | | | | |

| | | | | | | | | |
|--------------|----|-------|----|--------|--|--|--|--|
| SAE 85W/140 | | | | | | | | |
| <u>Exxon</u> | \$ | 62.28 | \$ | 187.60 | | | | |

DRUM DEPOSIT: \$ 17.00

BID, OFFER OR PROPOSAL FOR SALE OR LEASE OF MATERIALS

(Defined at I.C. 36-1-2-9.5)
(Please type or print)

1. Governmental Unit: City Utilities Garage Date: 10/30/90
 2. County: Allen
 3. Bidder (Firm): DR Lubricants
 Address: 209 Lincoln E.
New Haven, In 46774
 4. Telephone Number: 219493-3856
 5. Agent of Bidder (if applicable): Dennis Reed

Pursuant to notices given, the undersigned offers bid(s) to _____ (Governmental Unit) in accordance with the following attachment(s) which specify the class or item number or description, quantity, unit, unit price and total amount.

The contract will be awarded by classes or items, in accordance with specifications. Any changes or alterations in the items specified will render such bid void as to that class or item. Bidder promises that he has not offered nor received a less price than the price stated in his bid for the materials included in said bid. Bidder further agrees that he will not withdraw his bid from the office in which it is filed. A certified check or bond shall be filed with each bid if required, and liability for breach shall be enforceable upon the contract, the bond or certified check or both as the case may be.

Signature of Bidder or Agent

BID OFFER OR PROPOSAL

Attach separate sheet listing each item bid based on specifications published by governing body. Following is an example of the bid format:

| Class or Item | Quantity | Unit | Description | Unit Price | Amount |
|---------------|----------|------|-------------|------------|--------|
| | | | | | |

NON-COLLUSION AFFIDAVIT

STATE OF INDIANA)
) ss:
Allen COUNTY)

The undersigned bidder or agent, being duly sworn on oath, says that he has not, nor has any other member, representative, or agent of the firm, company, corporation or partnership represented by him, entered into any combination, collusion or agreement with any person relative to the price to be bid by anyone at such letting nor to prevent any person from bidding nor to induce anyone to refrain from bidding, and that this bid is made without reference to any other bid and without any agreement, understanding or combination with any other person in reference to such bidding.

He further says that no person or persons, firms, or corporation has, have or will receive directly or indirectly, any rebate, fee, gift, commission or thing of value on account of such sale.

DR LUBRICANTS

Bidder (Firm)

Signature of Bidder or Agent

Subscribed and sworn to before me this 30 day of Oct, 19 90.

My Commission Expires: 11/29/94

County of Residence: Allen

Joan M. Huber
 Notary Public

JOAN M. HUBER
 Notary Public Printed Name

ACCEPTANCE

There now being sufficient unbudgeted appropriated funds available, the contracting authority of _____ (Governmental Unit) hereby accepts the terms of the attached bid for classes or items numbered _____ and promises to pay the undersigned bidder upon delivery the price quoted for the materials stipulated in said bid.

Contracting Authority Members:

Date: _____

FRONT PAGE/INVITATION TO BID
DEPARTMENT OF PURCHASING
CITY OF FORT WAYNE, ALLEN COUNTY, INDIANA
ONE MAIN STREET - ROOM 350
PHONE 219-427-1101

BID OPENING DATE 11-1-90 @ 11:00 AM BID REFERENCE # 965

SEALED BIDS SHOULD BE DELIVERED TO DEPARTMENT OF PURCHASING, ROOM 350, CITY-COUNTY BUILDING UP TO 11:00 A.M. ON OR BEFORE OPENING DATE.

SEALED BIDS WILL BE OPENED-PUBLICLY AT 11:01 A.M. IN THE BOARD OF WORKS & SAFETY CONFERENCE ROOM ON THE THIRD FLOOR OF THE CITY-COUNTY BUILDING. "NO LATE BIDS WILL BE ACCEPTED AFTER 11:00 A.M. FOR ANY REASON WHATSOEVER".

THIS INVITATION FOR BID IS FOR THE 1991 REQUIREMENTS FOR
AUTOMOTIVE GREASE & OIL FOR VARIOUS CITY DEPTS PER SPECIFICATIONS
AND REQUESTED BY CITY UTILITIES GARAGE

THIS BID REQUIRES A XXXXX \$500.00 BID BOND, CERTIFIED OR CASHIER'S CHECK OF ALL BIDDERS.

THIS BID REQUIRES A 100% PERFORMANCE BOND OF SUCCESSFUL BIDDER(S).

PROMPT PAYMENT DISCOUNTS WILL BE ALLOWED AS FOLLOWS: 0 %
IF PAID WITHIN 30 DAYS.

THIS INVITATION IS ISSUED TO ESTABLISH A CONTRACT TO SUPPLY THE CITY OF FORT WAYNE WITH A COMMODITY OR SERVICE IN ACCORDANCE WITH ACCOMPANYING SPECIFICATIONS.

THE EXECUTION HEREOF BY THE BIDDER IS ACCEPTANCE OF ALL TERMS AND CONDITIONS HEREIN AND IN THAT REGARD THE BIDDER AGREES TO BE BOUND BY SAME AND BE BOUND TO THE AMOUNT OF HIS/HER BID FOR A PERIOD OF NINETY (90) DAYS.

FIRM NAME Smith Petroleum, Inc.

STREET ADDRESS 2920 Cornett Ave.

CITY Fort Wayne, IN 46802 PHONE # (219)432-2505

BY *John Wilson*
REPRESENTATIVE SIGNATURE

BID, OFFER OR PROPOSAL FOR SALE OR LEASE OF MATERIALS

(Defined at I.C. 36-1-2-9.5)
(Please type or print)

Date: October 30, 1990
 1. Governmental Unit: City of Fort Wayne
 2. County: Allen
 3. Bidder (Firm): Smith Petroleum, Inc.
 Address: 2920 Connett Ave.
 City/State: Fort Wayne, IN 46802
 4. Telephone Number: (219)432-2505
 5. Agent of Bidder (if applicable): Bob Rusk

Pursuant to notices given, the undersigned offers bid(s) to _____ (Governmental Unit) in accordance with the following attachment(s) which specify the class or item number or description, quantity, unit, unit price and total amount.

The contract will be awarded by classes or items, in accordance with specifications. Any changes or alterations in the items specified will render such bid void as to that class or item. Bidder promises that he has not offered nor received a less price than the price stated in his bid for the materials included in said bid. Bidder further agrees that he will not withdraw his bid from the office in which it is filed. A certified check or bond shall be filed with each bid if required, and liability for breach shall be enforceable upon the contract, the bond or certified check or both as the case may be.

Sam Wilson
Signature of Bidder or Agent

BID OFFER OR PROPOSAL

Attach separate sheet listing each item bid based on specifications published by governing body. Following is an example of the bid format:

| Class or Item | Quantity | Unit | Description | Unit Price | Amount |
|---------------|----------|------|--------------|------------|--------|
| | | | SEE ATTACHED | | |

NON-COLLUSION AFFIDAVIT

STATE OF INDIANA)
) SS:
ALLEN COUNTY)

The undersigned bidder or agent, being duly sworn on oath, says that he has not, nor has any other member, representative, or agent of the firm, company, corporation or partnership represented by him, entered into any combination, collusion or agreement with any person relative to the price to be bid by anyone at such letting nor to prevent any person from bidding nor to induce anyone to refrain from bidding, and that this bid is made without reference to any other bid and without any agreement, understanding or combination with any other person in reference to such bidding.

He further says that no person or persons, firms, or corporation has, have or will receive directly or indirectly, any rebate, fee, gift, commission or thing of value on account of such sale.

Smith Petroleum, Inc.
 Bidder (Firm)
Sam Wilson
 Signature of Bidder or Agent

Subscribed and sworn to before me this 30th day of OCTOBER, 1990.

My Commission Expires: 7-17-92
 County of Residence: Allen

Stanley E. Jay
 Notary Public
 Stanley E. Jay
 Notary Public Printed Name

ACCEPTANCE

There now being sufficient unobligated appropriated funds available, the contracting authority of _____ (Governmental Unit) hereby accepts the terms of the attached bid for classes or items numbered _____ and promises to pay the undersigned bidder upon delivery the price quoted for the materials stipulated in said bid.

Contracting Authority Members:

Date: _____

BID BOND TO ACCOMPANY MERCHANDISE PROPOSALS

KNOW ALL MEN BY THESE PRESENTS, That SMITH PETROLEUM

PO BOX 5034 FT WAYNE IN 46895

as Principal, and FEDERATED MUTUAL INSURANCE COMPANY as Surety, are held and firmly bound unto

CITY OF FT WAYNE DEPT OF PURCHASING RM 350

1 MAIN ST FT WAYNE IN 46802, as Oblige, as Obligee,

in the sum of FIVE HUNDRED AND NO/100-----(\$500.00)----- Dollars,

for the payment whereof Principal and Surety bind themselves, their heirs, executors, administrators, successors and assigns,
jointly and severally, firmly by these presents.

The condition of this obligation is such that whereas the Principal has submitted the accompanying bid for the following
articles: LUBRICANTS

NOW, THEREFORE, if the bid of the aforesaid Principal shall be accepted by the aforesaid Oblige and the Principal
shall faithfully perform the terms and conditions of the accompanying bid as may be required, then this obligation shall be
null and void; otherwise to remain in full force and effect.

Signed and sealed this 1ST day of NOVEMBER A. D. 19 90

SMITH PETROLEUM

Herbert J. Hurdell,
Chairman
Principal

Federated Mutual Insurance Company
Surety

Rebecca Ann Kelm
Attorney-in-fact

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS:

That FEDERATED MUTUAL INSURANCE COMPANY, a Corporation duly organized and existing under the laws of the State of Minnesota, and having its principal office in the City of Owatonna, State of Minnesota, does hereby constitute and appoint:

REBECCA ANN KELM

of the City of OWATONNA State of

MINNESOTA its true and lawful attorney for the following purposes:

To sign its name as surety to, and to execute, affix the seal, acknowledge and deliver any and all surety bonds and penalties not exceeding:

ONE HUNDRED THOUSAND DOLLARS (\$100,000) EACH

The execution of such bonds or undertakings in pursuance of these presents shall be binding upon the Company as if they had been executed and acknowledged by the regularly elected officers of the Company.

This Power of Attorney granted by Federated Mutual Insurance Company shall terminate when the designee ceases to be:

- 1) Employed by Federated Mutual Insurance Company or
- 2) Employed by Federated Mutual Insurance Company in a job for which such Power of Attorney is required.

IN WITNESS WHEREOF, the said FEDERATED MUTUAL INSURANCE COMPANY has caused this instrument to be signed and its corporate seal to be affixed by its Senior Vice President and Secretary this the 10TH day of AUGUST 19 90.

FEDERATED MUTUAL INSURANCE COMPANY

BY


Senior Vice President

(Seal)

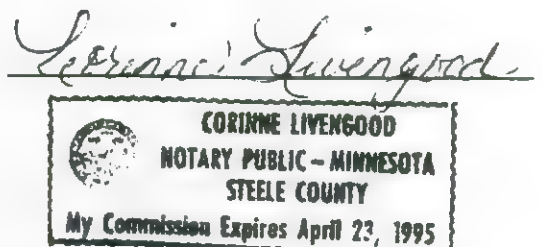
and BY


Secretary

STATE OF MINNESOTA
COUNTY OF STEELE

On this 10TH day of AUGUST 19 90 personally appeared before me, the undersigned notary public, DONALD RAY HUFF AND F. H. HEISEKE to me personally known, who, each being duly sworn by me, did say that they are respectively the Senior Vice President and Secretary of the FEDERATED MUTUAL INSURANCE COMPANY and that the seal affixed to this instrument is the corporate seal of said Corporation and that this instrument was signed and sealed on behalf of said Corporation by authority of its Board of Directors and said DONALD RAY HUFF AND F. H. HEISEKE acknowledge said instrument to be the free act and deed of said Corporation.

(SEAL)



ENGINE OILS:

HEAVY DUTY API SERVICE CD/SF, MIL-L-2104C AND MIL-L-46152B
MAXIMUM SULFATED ASH-1% BY WEIGHT

| ITEM | BRAND/PRODUCT NAME | QTY +/- | UNIT | PRICE | EXTENSION |
|-----------|--------------------|---------|------|-----------|--------------|
| SAE 15/40 | AMOCO 300 15W-40 | 4320 | QRT | \$ 1.22 | \$ 5,270.40 |
| | PHILLIPS 66 15W-40 | 125 | DRM | \$ 139.70 | \$ 17,462.50 |

API SERVICE CC. MIL-L-46152B NON-DETERGENT

| | | | | | |
|--------|---------------|-----|-----|---------|-----------|
| SAE 30 | AMOCO Amolube | 220 | QRT | \$ 1.01 | \$ 222.20 |
|--------|---------------|-----|-----|---------|-----------|

STROKE OIL FOR CHAINSAWS & LAWNMOWERS

| | | | | | |
|-------------|--------------------------|-----|-----|---------|-----------|
| 50:1 OIL | AMOCO Outboard Motor Oil | 340 | QRT | \$ 1.46 | \$ 496.40 |
| BIA-TCW OIL | AMOCO Outboard Motor Oil | 340 | QRT | \$ 1.46 | \$ 496.40 |

AUTOMATIC TRANSMISSION FLUID:

| | | | | | |
|--------------|-----------------------|------|-----|-----------|-------------|
| DEXTRON II | AMOCO- M.P. ATF | 1800 | QRT | \$ 1.23 | \$ 2,214.00 |
| | PHILLIPS 66 DEXRON II | 10 | DRM | \$ 139.15 | \$ 1,391.50 |
| TYPE C-3 10W | AMOCO 300 | 1800 | QRT | \$ N.P. | \$ N.P. |
| | AMOCO 300 | 10 | DRM | \$ 194.70 | \$ 1,947.00 |
| TYPE C-3 30W | AMOCO 300 | 1800 | QRT | \$ 1.18 | \$ 2,124.00 |
| | | 10 | DRM | \$ 194.70 | \$ 1,947.00 |

HYDRAULIC FLUIDS. FOR USE IN HIGH PRESSURE, HIGH SPEED HYDRAULIC
SYSTEMS. MEETS SERVICE REQUIREMENTS M2C48A

| | | | | |
|-------------------------------|----|-----|-----------|-------------|
| TEXACO Ursa Super Plus 10W-30 | 30 | DRM | \$ 210.65 | \$ 6,319.50 |
|-------------------------------|----|-----|-----------|-------------|

FOR USE IN TRANSMISSIONS, FINAL DRIVES & HYDRAULIC SYSTEMS OF TRACTORS
EMPLOYING A COMMON FLUID RESERVOIR. MEETS SERVICE REQUIREMENTS MC2C41A,
M2C53A, M2C134B & J1C145 (AW46)

| | | | | |
|------------------------|----|-----|-----------|-------------|
| PHILLIPS 66 H.G. Fluid | 30 | DRM | \$ 144.65 | \$ 4,339.50 |
|------------------------|----|-----|-----------|-------------|

GREASE & GEAR LUBES:

LITHIUM SOAP GREASE CONTAINING MOLYBDENUM DISULPHIDE NLGI #2, MAY
CONTAIN E.P. ADDITIVES

| | | | | |
|------------------------|-----|-----------|-----------|-------------|
| AMOCO Molyolith | 12 | KEG(120#) | \$ 117.00 | \$ 1,404.00 |
| TEXACO Molytex E.P. #2 | 125 | 14.5 OZ | \$ 1.12 | \$ 140.00 |

LITHIUM SOAP GREASE, NON E.P. NLGI #2

| | | | | |
|-----------------------|----|-----------|----------|-----------|
| AMOCO Lithium M.P. | 6 | KEG(120#) | \$ 97.20 | \$ 583.20 |
| TEXACO Marfak M.P. #2 | 75 | 14.5 OZ | \$.99 | \$ 74.25 |

API GL-5 GEAR LUBE. MIL-L-2105C

| | | | | | |
|-------------|-----------------------|----|-----------|----------|-----------|
| SAE 80W/90 | TEXACO Multigear E.P. | 10 | KEG(120#) | \$ 82.20 | \$ 822.00 |
| SAE 85W/140 | TEXACO Multigear E.P. | 10 | KEG(120#) | \$ 82.20 | \$ 822.00 |

GRAND TOTAL: \$ 48,075.85

DRUM DEPOSIT: \$ 0.00

FOB: FORT WAYNE

DELIVERY TIME: Per your requirements

Read the first time in full and on motion by Burns, seconded by Johnson, and duly adopted, read the second time title and referred to the Committee on City of Fort Wayne (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Conference Room 128, City-County Building, Fort Wayne, Indiana, on _____, the _____ of _____, 19____, at _____ o'clock _____ M., E.S.

DATED: 12-11-90

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Burns, seconded by Johnson, and duly adopted, placed on its passage. ~~PASSED~~ LOST by the following vote:

| | AYES | NAYS | ABSTAINED | ABSENT |
|-------------|----------|------|-----------|----------|
| TOTAL VOTES | <u>7</u> | | | <u>2</u> |
| BRADBURY | <u>✓</u> | | | |
| BURNS | <u>✓</u> | | | |
| EDMONDS | <u>✓</u> | | | |
| GIAQUINTA | | | | <u>✓</u> |
| HENRY | <u>✓</u> | | | |
| LONG | | | | <u>✓</u> |
| REDD | <u>✓</u> | | | |
| SCHMIDT | <u>✓</u> | | | |
| TALARICO | <u>✓</u> | | | |

DATED: 12-18-90.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL) (SPECIAL) (ZONING MAP) ORDINANCE RESOLUTION NO. 332-90 on the 18th day of December, 1990,

Sandra E. Kennedy ATTEST
SANDRA E. KENNEDY, CITY CLERK

SEAL
Charles S. Redd
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 19th day of December, 1990 at the hour of 2:00 o'clock P. M., E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 19th day of December, 1990, at the hour of 4:10 o'clock P. M., E.S.T.

Paul Helmke
PAUL HELMKE, MAYOR

BILL NO. S-90-12-15

REPORT OF THE COMMITTEE ON CITY UTILITIES

PAUL M. BURNS, CHAIRMAN
MARK E. GIAQUINTA, VICE CHAIRMAN
HENRY, LONG, TALARICO

WE, YOUR COMMITTEE ON CITY UTILITIES TO WHOM WAS

REFERRED AN (ORDINANCE) ~~(RESOLUTION)~~ approving the awarding
of Reference #965 by the City of Fort Wayne, Indiana, by and
through its Department of Purchasing and DR LUBRICANTS AND SMITH
PETROLEUM, INC. for the City Utilities Garage

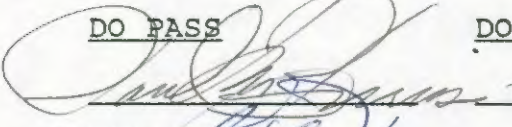

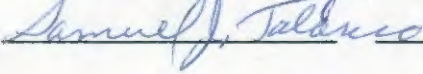
HAVE HAD SAID (ORDINANCE) ~~(RESOLUTION)~~ UNDER CONSIDERATION
AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID
(ORDINANCE) ~~(RESOLUTION)~~

DO PASS

DO NOT PASS

ABSTAIN

NO REC

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DATED: 12-18-90.

Sandra E. Kennedy
City Clerk

DIGEST SHEET

TITLE OF ORDINANCE: Special

DEPARTMENT REQUESTING ORDINANCE: Purchasing

SYNOPSIS OF ORDINANCE: An ordinance approving the award of Ref. No. 965 for the purchase of grease and oil for the City Utilities Garage for 1991. The costs reflect the most responsive of five (5) vendors.

IF NOT LOWEST, WHO WAS AND WHY WERE THEY NOT AWARDED:
SEE ATTACHED SHEET FROM DON HECK

EFFECT OF PASSAGE: Oil, grease and other lubricants for all City vehicles.

IF REPLACEMENT, WHAT NECESSITATES:
N/A

J-90-12-15

EFFECT OF NON-PASSAGE: Vehicles cannot operate without grease, oil or lubricants.

PRIOR APPROVAL REQUESTED: N/A

| | | |
|------------------|-----------------|-----------------|
| MONIES INVOLVED: | DR Lubricants | \$12,399.60 +/- |
| | Smith Petroleum | \$29,157.70 +/- |

PRICE AGREEMENT: Yes

PURCHASE ORDER:

SOURCE OF FUNDING: CU Garage 702-803-G154-4233

PRIOR APPROVAL:
(IF APPLICABLE)

DATE: